



2172

Practitioner's Docket No. 1956/126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael P. Wagner

Application No.: 09/480,390

Filed: 01/11/2000

For: System, Device, and Method for Providing Mutual Exclusion for Computer System Resources

Group No.: 2172

Examiner: To, B.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 18 2003

AMENDMENT TRANSMITTAL

Technology Center 2100

STATUS

1. Transmitted herewith is an amendment for this application.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10**(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

 deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

 with sufficient postage as first class mail.

37 C.F.R. § 1.10*

 as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

 facsimile transmitted to the Patent and Trademark Office, (703) _____
Signature

Date: June 13, 2003

Jeffrey T. Klayman

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	40	-	40 = 0 x \$ 18.00	=	\$	0.00
INDEP.	4	-	4 = 0 x \$ 84.00	=	\$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$ 0.00	=	\$	0.00
			TOTAL ADDIT. FEE		\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 19-4972.

An additional fee for claims is required, charge Account No. 19-4972.

Date: Jeffrey T. Klayman



Jeffrey T. Klayman
Registration No. 39,250
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 02101



02101

PATENT TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael P. Wagner

Att'y Docket: 1956/126

SC
13B
6/19/03

Serial No.: 09/480,390

Art Unit: 2172

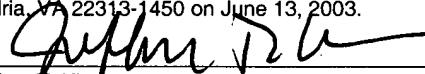
Filed: January 11, 2000

Examiner: To, B.

Title: SYSTEM, DEVICE, AND METHOD FOR PROVIDING MUTUAL EXCLUSION FOR COMPUTER SYSTEM RESOURCES

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 13, 2003.


Jeffrey T. Klayman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUN 18 2003

Technology Center 2100

RESPONSE TO OFFICE ACTION

Dear Sir:

Applicant respectfully submits this response to the Office Action dated March 27, 2003.

REMARKS

1. Claims 41-74 were pending in this application. No claims have been added, cancelled, or amended. Therefore, claims 41-74 remain pending in this application.

2. The Examiner rejected claims 41-74 under 35 U.S.C. 103(a) as being unpatentable over Bacon (US Patent No. 6,247,025).